IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 31271 of 2007(W)

PETITIONER:

K.P.SAYEED,
PROPRIETOR, MATHAMANGALAM TRADERS,
MATHAMANGALAM BAZAR P.O., KANNUR DISTRICT-670 595.

BY ADV. SRI.V.P.SUKUMAR

RESPONDENTS:
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1. THE ASSISTANT COMMISSIONER (KVAT),
SPECIAL CIRCLE, COMMERCIAL TAXES, KANNUR-1.

2. THE DEPUTY COMMISSIONER (APPEALS),
COMMERCIAL TAXES, KOZHIKODE-1.

3. THE DISTRICT COLLECTOR,
KANNUR-1.

4. THE SPECIAL DEPUTY TAHSILDAR (R.R.),
TALIPARAMBA-670702.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 31271 OF 2007W
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Dated this the 22nd October, 2007

J U D G M E N T

Aggrieved by Ext. P1 order of assessment for the year 2003-04 petitioner has filed Ext. P2 appeal and Ext. P3 stay petition. While orders are awaited, revenue recovery proceedings have been initiated by Exts. P5 and P6. Ext. P7 also is a show cause notice issued to the petitioner calling upon him why proceedings under Section 65 of the Revenue Recovery Act shall not be initiated. It is in this background this writ petition has been filed.

2. Now that the appeal and stay petition are pending before the 2nd respondent, I dispose of this writ petition directing that the 2nd respondent shall consider and pass orders on Ext. P2 appeal of the petitioner as expeditiously as possible, at any rate within six weeks of receipt of a copy of this judgment. I also direct that further proceedings pursuant to Exts. P5, P6 and P7 will stand stayed on condition that within 3 weeks from today the petitioner deposits

Rs.50,000/- before the 4th respondent.

Petitioner shall produce a copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC
JUDGE

jan/-